COPY

OF A

PETITION

FROM THE

BRITISH INHABITANTS

OF THE

Province of QUEBECK,

TO THE

COMMONS Houſe of Parliament

In GREAT-BRITAIN,

In the Year 1783.

LONDON,
Printed in the Year M.DCC.LXXXIV.

1784

COPY

OF A

PETITION

FROM THE

BRITISH INHABITANTS

OF THE

Province of QUEBEC,

TO THE

House of Peers

In GREAT-BRITAIN,

In the Year 1783.

COPY

OF A

PETITION, &c.

TO THE RIGHT HONOURABLE THE SPEAKER OF THE HOUSE OF COMMONS, THE KNIGHTS, CITIZENS, AND BURGESSES, OF THE PARLIAMENT OF GREAT BRITAIN.

The ADDRESS and PETITION of the antient Subjects of the Crown of Great-Britain residing in the Province of Quebeck,

SHEWETH,

THAT, after the conqueſt of the province of Canada by the arms of Great-Britain, your Petitioners, by a Proclamation from his Majeſty, made on

 the

the 7th day of October, 1763, received invitation and encouragement from the Crown to quit their native countries, and ſettle and become eſtabliſhed to reſide in the new-acquired province of Canada.

That the ſaid Proclamation held forth and aſſured your Petitioners, that a Government and Conſtitution ſhould be made and confirmed to your Petitioners, and the ſubjects of the Crown reſiding in the province of Quebeck, ſimilar to thoſe in his Majeſty's provinces in America.

Your Petitioners, relying on the Prerogative of the Crown to hold forth ſuch encouragement, and to grant and confirm ſuch a government in this province as the Proclamation of his Majeſty promiſed to your Petitioners, and, confiding in the faith of the Crown pledged by the ſaid Proclamation, did not heſitate to conſider and reſt ſatisfied that the Conſtitution aſſured to your Petitioners and the people of Canada would be eſtabliſhed. Under thoſe conſiderations they, from time to time, ſince iſſuing the ſaid Pro-

Proclamation, have forſaken their native countries, and tranſported themſelves, their families, and poſſeſſions, to this province, not in the diffident, but the confident, belief of enjoying in every degree the benefit of thoſe laws, and that freedom, ſecurity, and comfort, in the province of Quebeck, which the Principles of the Engliſh Conſtitution afforded in every part of the Britiſh dominions in America.

Your Petitioners, and the inhabitants of the province of Quebeck, without a murmur, chearfully, and on every occaſion, have acknowledged and obeyed the controuling power of the Parliament of Great-Britain to legiſlate over this its Colony. The actions and the conduct of your Petitioners, when truely repreſented, will beſt expreſs the ſincerity of their Loyalty, and attachment, to the Crown of Great-Britain.

Your Petitioners with patience have ſuffered, during a Period of Anarchy and War, rather than embarraſs the Parliament with remonſtrances and petitions at a period when the

ſafety

ſafety of the nation, and the preſervation of its dominions, made ſacred every moment of publick deliberation.

Your Petitioners wiſh to forget — they forbear to animadvert upon — the Conſtitution and the Government they have lived under ſince the paſſing of the Quebeck Bill. Whatever reaſons, or policy of ſtate; — — whatever idea of neceſſity at that critical period; — might have preſſed upon this people ſuch an Act and Government, — ſo contrary to the growth, the welfare, and intereſt of a commercial ſtate, — ſo adverſe to the liberty and the happineſs of your Petitioners and the ſubjects of Great-Britain in Quebeck, — ſo repugnant to the Royal Aſſurance of a limited and mixt government, ſimilar to the other Britiſh Colonies in America, and in which the people legally qualified ſhould participate; — Whatever ſuch neceſſity or reaſons of ſtate might then be, your Petitioners preſume they can now no longer have exiſtence to ſupport that act, nor that any conſideration adverſe to the true principles of the Engliſh Conſtitution will

will prevail with the Parliament of Great-Britain to with-hold from your Petitioners that Government, — that Liberty, Security, and Comfort, — that infinite Source of Proſperity and Happineſs, — which, under the Royal Word and Aſſurances of the Crown, have been the means to induce their reſidence in the province of Quebeck.

With the utmoſt loyalty and attachment to the Crown and Government of Great-Britain, your Petitioners approach this Houſe of Commons to intreat, from the Parliament of Great-Britain, a repeal of the act paſſed in the fourteenth year of his Majeſty, Chap. 83, making proviſion for the government of this province, and that an Act of Parliament may be paſſed for the eſtabliſhment of a government in the province of Quebeck formed to move and exiſt upon the principles which have raiſed and ſupported the Engliſh Conſtitution.

It is with concern your Petitioners behold the burthen of Great-Britain; and with great pain and commiſeration they witneſs the

the infinite diſtreſſes of the loyal ſubjects of the Crown, who, expelled from their native country, are daily taking ſhelter, and ſeeking a poor and even a painful exiſtence, in this, a Britiſh Colony. However their diſtreſſes may as yet ſubdue their petitions or their claims, the Parliament of Great-Britain will readily perceive, "that a free conſtitution, and a government ſimilar, or ſuperiour, to that under which they had been born, had lived, and been happy, will be conſidered by thoſe, the injured, the diſtreſſed ſubjects of the Crown, as the firſt protection and comfort which the Parliament and the Nation, in relief to their diſtreſſes, can now grant;" and the more ſo, as it will be a protection and a bleſſing not merely granted to them, but extended to their children and poſterity.

Your Petitioners, perſuaded that the welfare, happineſs, and proſperity, of the people and province of Quebeck are objects of the ſerious and benign conſideration of Parliament, humbly preſume to ſuggeſt, and ardently pray, that ſome amendment may be made

made to the ſyſtem of government which the Royal Proclamation of 1763 hath promiſed to the ſubjects of the Crown of Great-Britain, who ſhould thenafter and thereby be induced to reſide in this province. And your Petitioners intreat that ſuch alterations may be made and eſtabliſhed by the Act of Parliament which may confirm to the people and province of Quebeck a conſtitution and government different from the preſent.

I. That the Houſe of Repreſentatives, or Aſſembly of the People, may be choſen by the pariſhes, towns, and diſtricts, of the province, eligible under qualifications ſimilar to thoſe eſtabliſhed in the Royal Governments in America in 1763; and that the Aſſembly may be renewed and re-elected every three years.

II. That the Legiſlative Council may conſiſt of a greater number of members than twelve, which at leaſt may be the Majority requiſite to carry the vote of any meaſure before the Council: And that the appointment of ſuch members may be during their

reſidence in the province and life; yet ſubject to temporary leave of Abſence, as mentioned in the eleventh article.

III. That the Criminal Laws of England may be continued, as at preſent eſtabliſhed by the Quebeck act.

IV. That the ancient laws and cuſtoms of the country reſpecting landed eſtates, marriage-ſettlements, inheritances, and dower, be continued, until changed or altered by the Legiſlature of Quebeck, ſave that owners may alienate by will, as provided by the tenth ſection of the Quebeck act.

V. That the Commercial Laws of England may be declared to be the laws of this province in matters of trade and commerce; and that all perſonal actions may be tried by the modes, and decided upon the principles, of the Common Law of England, until the ſame may be altered by the Legiſlature of Quebeck.

VI. That

VI. That the *Habeas Corpus* act, 31ſt of Car. 2. chap. 2, be made part of the Conſtitutional Law of this province; and that this may be done by a perpetual law of the Britiſh Legiſlature, ſubject, however, to ſuſpenſion by the legiſlature of Quebeck, if need be.

VII. That Optional Juries may be granted on all trials in courts of original juriſdiction; and that nine members out of twelve may, in civil cauſes, return verdicts, and be regularly ballotted for, and a pannel formed, (as in England,) either in the caſe of an Ordinary, or a Special Jury, at the option of the party applying for the ſame.

VIII. That the Sheriffs be elected by the Houſe of Aſſembly, and approved and commiſſioned by the Governour at every ſitting of the Legiſlature; and that they hold their appointment during the period for which they are elected, and their good behaviour; and that they find reaſonable ſecurity for a faithful diſcharge of their truſt and duty.

IX. That no Officer of the Civil Government, Judge, nor Miniſter of Juſtice, be ſuſpended by the Governour, or by the Commander in Chief for the time being, from the honours, duties, ſalaries, or emoluments, of his appointment, but with the advice and conſent of his Majeſty's Council for the affairs of the province: which ſuſpenſion ſhall not continue after the firſt ſitting of the Legiſlative Council, unleſs it be approved by the ſame. The cauſe of complaint, if approved, to be thenafter reported to his Majeſty by the ſaid Governour and Legiſlative Council, for hearing and judgement thereon.

X. That no Commiſſion be granted by the Governour and Commander in Chief for the time being, nor any appointment made to a vacant truſt, or office, of what nature ſoever, nor any new office created, or commiſſion granted, by the ſaid Governour, but with the advice and conſent of his Majeſty's ſaid Council, and to be approved by the Legiſlative Council, as in the preceeding article.

XI. That

XI. That all offices of truſt be executed by the Principal in the appointment, unleſs from leave of abſence from the Governour, with the advice and conſent of the ſaid Council; which leave of abſence ſhall not extend to more than twelve months, nor be renewed by the Governour but with the approbation and conſent of the Legiſlative Council.

XII. Your Petitioners ſenſibly feel, that, were the moſt wiſe and fit laws eſtabliſhed among the people, yet their welfare, their ſecurity, and their comfort, muſt intirely depend on a juſt and impartial execution of ſuch laws. Whatever conſtitution the ſubjects of the Crown in the province may obtain, the equal and true adminiſtration of juſtice muſt be the baſis of their happineſs; nor is it but with the utmoſt fervency that your Petitioners implore that the ſeats of juſtice may be filled by men of juriſprudent learning, and whoſe abilities, at the ſame time they are adequate to their employments, may be ſo rewarded, as to be confined to the functions of adminiſtring juſtice: and that their appointments may be made to them, to hold during

during their good behaviour:---That every cauſe of accuſation in order to a removal of them, proceeding from the Governour, ſhall follow the rule laid down in the 9th article; and every accuſation in order to a removal of them, made on the part of the publick, ſhall proceed from the Houſe of Aſſembly, and be heard by the Legiſlative Council; which, if well-founded, ſhall operate as a ſuſpenſion; and, in either caſe, be decided, on appeal and report to his Majeſty, by the Lord Chancellor and the twelve Judges of England. The miniſters of juſtice, ſo appointed and protected, muſt be a comfort and happineſs to any country or people; and the Parliament may be aſſured, that the antient ſubjects of the Crown in the province of Quebeck will be ever ready to acknowledge with gratitude its foſtering protection in granting ſuch a fundamental ſecurity to the welfare and happineſs of this people.

XIII. That Appeals from the courts of juſtice in this province to the Crown may be made to a Board of Council, or Court of Appeals, compoſed of the Right Honourable the Lord-

Lord Chancellor and the Judges of the Courts of Weſtminſter-Hall.

Such are the prayers and intreaties of your Petitioners, the loyal and affectionate ſubjects of Great-Britain, reſiding in the province of Quebeck; that, from the wiſdom, the juſtice, and the bounty of the Crown and Parliament, they may obtain to this province a conſtitution and government, a quietude and proſperity, that may call from the preſent people and age their unceaſing acknowledgements and gratitude, and make the future inhabitants of it feel, (as may the preſent) that the only means of happineſs to the people and province of Quebeck is a union and ſubmiſſion to the Crown and the Government of Great-Britain.

Province of Quebeck, 30th of September, 1783.

Signed by

William Dummer Powell,
Iſaac Todd,
James Mac Gill,
Charles Paterſon,

Robert

Robert Ellice,
Jacob Jordan,
William Kay,
Alexander Kay,
Joſeph Frobiſher,
Thomas Frobiſher,
George Selby,
James Finlay
Richard Mac Neale,
George King,
William Maitland,
Alexander Auſdjo,
Benjamin Frobiſher,
Charles Moriſon,
John Gregory,
Barrak Hays,
Andrew Hays,
Finlay Fiſher,
Allan Moriſon,
William Law,
John Juſtice Diehl,
Daniel Cameron,
John Melvin,
Henry Dunn,
Robert Willcocks,
William Burns,
Thomas Powis,

Richard

Richard Dalton,
—— Olry
John Barnsley,
John Rooker,
James Sinclair,
John Mac Keachie,
Samuel King,
Michael Flacarty,
Alexander Wallace,
Duncan Mac Kenzie,
Berthelot Dartigny,
John Munro,
John Ritchie, Senr.
Hugh Ritchie,
Matthew Mainider,
James Mac Kenzie,
William Edgar,
Robert Griffin,
James Symington,
Robert Aird,
Felix Graham,
Samuel Judah,
Thomas Mac Cord,
James Singer,
Edward Edwards,
Samuel Birne,

Thomas Burn,
Roſſeter Hoyle,
James Hallowell,
Daniel Sutherland,
Uriah Judah,
Thomas Mac Murray,
Joſeph Provan,
Alexander Smith,
George Aird,
Alexander Mabbut,
Joſeph Howard,
Moſes David,
Joſeph Bagley,
Francis Du Moulin,
William Hunter,
Andrew Bell,
John Lyle,
James Poupard,
Levy Michaels,
John Forſyth,
Donald Morriſon,
Richard Dillon,
James Greig,
Hugh Mac Kay,
Angus Grant,
William Ritchie,

Anthony

Anthony Menul
John Urquhart,
John Young,
James Mac Niven,
John Saul,
George Jenkins,
John Baptiſt Le Brun,
Patrick Sulavan,
George Sinclair,
John Anthony Gray,
Charles Grant,
John Blackwood,
David Barclay,
John Buchanan,
Simon Mac Taviſh,
William Aird,
John Turner and Son,
Matthew Cuthell,
William Griffin,
Iſaac Judah,
John Gruet,
John Lockhart Wiſeman,
John Bell,
William Allen,
James Dyer White,
Henry Robert Symes,

William Murray,
Richard Pollard,
John Neagle,
John Du Moulin,
Thomas Sullivan,
William England,
Thomas Oaks,
David Davis,
Donald Fiſher,
James Noel,
Samuel Humberſtone,
Thomas Hacket,
William Roxburgh,
James Todd,
John Mac Cord,
Thomas Sketchley,
John Lynd,
George Wells,
Anthony Van Fetſon,
Alexander Brotherton,
John Henry Fortier,
John Reapier,
Michael Cornud,
Hector Mac Aulay,
Robert Mac Fie,
James Durward,

William

William Langhorne,
John Hurſt,
Archibald Ferguſon,
Simon Fraſer,
John Buchanan,
Conſtant Freeman,
John Painter,
Zachary Mac Aulay,
Richard Dobie,
John Mac Gill,
James Laing,
John Lilly
Peter Arnoldi,
John Grant,
Thomas Duggan,
William Mac Gillivray,
Francis Winter,
Philip Jacob,
John Fraſer,
Chriſty Cramer,
Robert Jones,
Lewis Willard,
Alexander Hay,
Thomas Coffin,
William Taylor,
Robert Mac Gregor,

Robert

Robert Henderſon,
John Cochrane
James Bowman
George Cochrane,
Meredith Wills,
Andrew Cameron,
John Pagan,
Jacob Rowe,
Murdoch Stuart,
William Mac Nider,
Robert Woolſey,
Frederick Petry,
William Webb,
James Woods,
Jonathan Eckart,
Godfrey King,
Dennis Daly,
Percey Kien,
Iſaac Roberts,
Henry Sweetland,
William Ennis,
John Roſs,
Robert Ruſſell,
Joſeph Duval,
William Hall,
Alexander Henry,

John

John Walker,
Thomas Swan,
John Mac Kenney,
James Caldwell,
Nicholas Bayard,
George Mac Dougall,
Robert Cruickſhank,
Alexander Henry,
John Hunter,
John Speed,
William Harkneſs,
Robert Grant,
James Taylor,
William Franks,
Samuel David,
John Aſkwith,
James Davidſon,
Charles Le Marchant,
John Antrobus,
Alexander Roſs,
Ezekiel Freeman,
Roderic Fraſer,
Thomas Watt,
John Jones,
Thomas Cary,
Etienne Bois,

John

William

William Lindſay, Junr.
David Shoolbred,
William Gill,
John Hay,
James Hanna,
Robert Hardy,
William Laing,
James Strachan,
Alexander Chiſholm,
Alexander Greig,
John Mac Cord, Junr.
John Ayton,
Antoine Richoux,
Pierre Caſcagnet,
Theodorus Meyer,
John Rodolf Schmith,
John Mac Intoſh.

FINIS.